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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

ROBERT LEE LOPEZ,)	Case No. CV 04-1316 MCE-JFM-P
)	
Petitioner,)	
)	MOTION FOR EXTENSION OF TIME
vs.)	TO FILE PETITIONER'S TRAVERSE,
)	DECLARATION IN SUPPORT AND
SCOTT KERNAN, Warden et al.,)	ORDER
)	
)	
Respondents.)	
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Petitioner, ROBERT LEE LOPEZ, by and through undersigned counsel of record, and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, moves this Court for an order enlarging the time by thirty (30) days for Petitioner to file a traverse in the above-captioned case. Petitioner's traverse is now due on March 21, 2008.

In support of this motion, petitioner submits the follow declaration of counsel:

I, JOSEPH J. WISEMAN, declare as follows:

- (1) I am an attorney licensed to practice in the State of California, and I have been appointed to represent Robert Lee Lopez in the above-captioned case.
- (2) I am submitting this declaration in support of my request for a 30-day extension

1 of time to file petitioner's traverse.

2 (3) Pursuant to the order of this court dated March 7, 2008, petitioner's traverse is
3 due on March 21, 2008.

4 (4) I have been working diligently on preparing the traverse, but due to the fact that
5 my elderly mother's death is imminent; her doctors are working to maintain her life while
6 awaiting the arrival of my sister from Australia, I need to be in Los Angeles.

7 (5) On March 19, 2008, my assistant e-mailed Justain Riley, Deputy Attorney
8 General, and respondent's counsel, advising him that I intended to file this motion, and asking
9 him to contact me if he had any objections thereto. I have not received a response from Mr.
10 Riley.

11 (6) I believe I have shown good cause for a short extension of time, and I do not
12 believe respondent will be prejudiced by the delay.

13 I declare under the penalty of perjury that the foregoing is true and correct.

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15 DATED: March 19, 2008

JOSEPH J. WISEMAN, P.C.

16 By: /s/ Joseph J. Wiseman

17 JOSEPH J. WISEMAN

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19 **ORDER**

20 GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED THAT the due
21 date for petitioner to file his traverse in the above-captioned case is extended thirty (30) days to
22 April 21, 2008.

23 Dated: March 26, 2008.
24 /s/John F. Moulds